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# On 'Empire', Imperialism and Sovereignty

Pablo de Orellana

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## On 'Empire', Imperialism, and Sovereignty

Pablo de Orellana

From the advent of Christianity in late Antiquity to the onset of early colonialism, debates about empire have revolved around divine and natural right. Vitoria rejected that monarchy derived its sovereignty 'from the commonwealth or from men'.<sup>1</sup> In a paradoxical parallel, it is interesting to consider that pre-Christian Roman sovereignty was occupied by the containment of the demands of the plebs, a concern that Marxism and Hardt and Negri brought back to thought about political sovereignty. Vitoria's main concern on sovereignty was territoriality, and he was at pains to discuss whether savages in the Americas were *infideles*, *amentes* or *insensati* and thus liable to enlightened *dominium*.<sup>2</sup> It is precisely this view of sovereignty, as based on the unreadiness of entire populations for self-rule and peace, that underpinned European colonial discourse. Classical notions of empire first and foremost include the projection of military, political and economic power outside the nation-state. This projection might be direct or indirect, informal or formal, but in any case does not necessitate the imposition of sovereignty upon other territories.

If one is to consider the contemporary international order, it seems unavoidable to at least consider it as a system dominated by a hegemon. The Project for a New American Century seeks to reaffirm 'American global leadership' for the purpose of 'extending an international order friendly to our security, our prosperity, and our principles'.<sup>3</sup> Ferguson argues that "hegemony" is just a way to avoid talking about empire, "empire" being a word to which most Americans remain averse. But "empire" has never exclusively meant direct rule over foreign

territories'.<sup>4</sup> All of these notions of empire regard power, its exercise and *modus vivendi* as the utmost expression of the modern state. The modern state is thus the main producer of subjectivities through discipline and especially biopower with which it has an existential nexus through the very protection of life.<sup>5</sup> The state is also the most observable actor in the conduct of international relations, being both the container and defender of its biopolitical subjects.

Hardt and Negri, however, challenge this perception and argue that the international is mutating into an order of economic globalization that engulfs and supersedes the crisis-stricken modern state under 'a single logic of rule' that creates the condition of possibility for action by agents within Empire.<sup>6</sup> In this contribution, I explore the extent to which the notion of 'Empire' is useful in understanding contemporary international politics. The thesis of Empire shall be outlined first. The analysis will then focus on their conception of modern sovereignty and imperialism, which are the most contentious issues of *Empire* in considering the contemporary global political order. I shall not, however, explore the Marxist contradictions of 'Empire' or its reformulation of the proletariat as 'Multitude' given the priority of the purpose of this analysis. Finally, I shall attempt to offer an alternative conceptualisation of the role of power projection in the international in relation to economic globalisation as one based on economic terraforming as a form of economic conditioning.

### 'Empire'

The state as producer of subjectivity is, in Hardt and Negri's view, experiencing a moment of crisis and challenge. *Empire* details the forces and new subjectivities that they consider as symptomatic of change currently underway. Most important for their thesis is the

globalisation of world markets that 'tends to deconstruct the boundaries of the nation-state'.<sup>7</sup> They see the recreation of enemies through subjectivities in the Western discourse of fundamentalism as an essentially anti-modern depiction: 'counter to modernism's dynamic and secular society, fundamentalism seems to pose a static and religious one'.<sup>8</sup> The creation of subjectivity, they argue, like that of the world market, and with fundamentalism as an enemy, is one that de-emphasises the state in favour of post-modern, global, and non-state actors. The demise of the Soviet Union led to the creation of paradigms for good and evil that are global, hence spinning the wheel of a global-level biopolitical technology of power.

Empire is not a continuation of imperialism for it relies on a subjectivity not based in sovereignty;<sup>9</sup> it does not depend on state subjectivity but on a de-centralised, de-territorialised, unjuridical, economic capitalist power machine: the ultimate evolution of capitalism beyond imperialism. Empire creates subjectivities that are based on the biopolitical nexus of production, life, and peace as first articulated by Michel Foucault. 'What Foucault fails to grasp finally are the real dynamics of production in biopolitical society', they argue, and needs the addition of the Marxist's focus on production: 'life is made to work for production and production is made to work for life'.<sup>10</sup>

Empire is a producer of subjectivities currently coexisting with modern ones. These are centred around an immanent inner biopolitical circle linking labour (of the Multitude, the subject of biopower) and production, and an outer circle, at the global level, of action and consensus with a biopolitical need for peace, stability and the market.<sup>11</sup> Empire is thus a 'globalized biopolitical machine' that renders its power absolute through the 'complete immanence to the ontological machine of production

and reproduction, and thus to the biopolitical context'.<sup>12</sup> Ontologically, Empire creates the condition of possibility for agents (capital) to act. This global order is defined by its very virtuality, its dynamism and 'its functional inconclusiveness'.<sup>13</sup> This double circle also explains, in their model, the subjectivity behind the articulation of intervention: an exception to the peace etc. pertinent to the biopolitical circle can result in intervention, moral (NGO's and other 'moral' forces) as well as forcible.<sup>14</sup> The 'symbolic production of the Enemy' arises from its particularisation as an exception to the peace of the biopolitical regime, and therefore military intervention 'is presented as an internationally sanctioned police action'.<sup>15</sup> Interventions 'are always exceptional even though they arise continually' and Hardt and Negri see its form as policing 'because they are aimed at maintaining an internal order'.<sup>16</sup>

Globalisation is a most pertinent obstacle for the consideration of sovereignty in late modernity: it escapes the control of the state as the primary human and spatial unit, it is a major factor in the relative welfare of any individual and interconnects states and people the world over. The positioning of the globalisation of world economy in IR is problematic to the point that Empire is helpful in reconsidering our position in regards to the limits, theory and subjectivity of the state as the unit of analysis and demarcation. Barkawi and Laffey suggest that the challenge of Empire has highlighted that IR's central categories of sovereignty and the nation-state 'generate a systematic occlusion of the imperial and global character of world politics'.<sup>17</sup> Taking the imperial seriously, they argue, allows for an understanding of sovereignty located 'in histories of European expansion and engagement with the world outside the West'.<sup>18</sup> This is in tension with a view of world politics focused on the state that leaves the international as a small space of

strategic, diplomatic and economic interaction: the 'territorial trap'. Hardt and Negri see the international as a wider space of social relations and struggle that results in a mutually constitutive perception of the formation of modern sovereignty. Europe is thus contextualised and provincialised: The Westphalian state appears thus the result of interaction and mutual constitution in the international. Their understanding of globalisation as a new form of global power is, at least, helpful in understanding the current global political order as interconnected, mutually constitutive and decidedly transnational and also significantly "updates" and challenges notions of power projection in the international.

#### *The end of Modernity?*

Hardt and Negri argue that state sovereignty in its modern sense is being absorbed and smoothed into a global continuum such that 'at the highest level, one could say that only Empire (and no longer any nation-state) is capable of sovereignty in a full sense.'<sup>19</sup> This is highly problematic, not only with regards to US hegemony, but most importantly from the theoretical claim in that it appears to assume that Westphalian sovereignty was ever perfect, impermeable in its borders, permanent in its contents, in the preceding times of imperialism. I would argue that the modern state has never been in stasis, but is rather constantly relative and relational, responding to its own perceived existence, constantly reproducing its national subjectivity.<sup>20</sup> This happened in France with Sarkozy's brutal claims and legislation concerning French identity; David Cameron has recently claimed that multiculturalism has failed in the UK and that "britishness" must be demanded of migrants.

The borders, both geographical and theoretical, of the modern state, were not, and are not, in a stasis of containment of their peoples. Even when they were not

responsible for the movement of masses, movements happened, often on a massive scale; one has only to think of the great Irish and Italian migrations of the nineteenth century. The movement of 'the multitude' is no freer in contemporary times that hitherto: even though the EU might seem like an Imperial example of multitude movement, though making internal frontiers more fluid, it has made the external ones more impermeable than before. This brings us back to the role of the state and in the EU each development is a state-negotiated treaty - which explains the endemic impotence of the European Parliament. 'Undesirable flows' are being controlled not only in terms of migration but also in trade; the EU keeps stringent restraints on imports of food stuffs that might compete with European agriculture. Even the world of capital is not 'smooth'.

The state remains firmly grounded in its modern role as guarantor and provider of space for rights, citizenship, political action (taxation and welfare for instance).<sup>21</sup> So much so that many social groups around the globe seek statehood as the guarantee of rights and political part-taking for their peoples – as we have seen in the Balkans, Kurdistan, Burma, Spain, France, etc.<sup>22</sup> The state, I contend, is still the main producer and reproducer of identity, historicity – the antithetical "other" – and the ultimate zone of inclusion and the defence of life. Sovereign state subjectivity, within the epistemological condition of Westphalian modern capitalism, like power, is not possessed but rather practised through the ontological conditioning of its biopolitical subjects.

Walker highlights the issue, claiming immanence 'in the philosophical struggles of early European modernity with a claim about the imminence of a new form of political order arising from a process of internalisation of interstate system'. He contents Hardt and Negri's 'founding

binary' of 'transcendence and sovereignty as a counter-revolution against immanence'.<sup>23</sup> I am convinced by Walker's counterargument that 'the immanent critique of modernity does not automatically translate into an account of a politics that involves bringing the outside inside'.<sup>24</sup> This renders unsustainable the narrative in 'Empire' of enclosure and unity towards Imperial unity and organised difference. This is seriously limiting, for it not only invites a counter argument based on Imperialism, but also seems to ignore the contemporary practice of sovereignty itself, novel forms of governance and resurrected/ new/ revolutionary claims to sovereignty.

#### *The Empire Strikes Back: Economic Terraforming*

The actualisation of a state's international practice is thus still relevant to the point that major powers can still provide sponsorship to other actors - a projection of power.<sup>25</sup> The capacity of a state to provide sponsorship to another brings us to question Empire's claim that imperialism has collapsed in the face of the 'attempt to quench an insatiable thirst' of capitalism towards 'being a world power, or really *the* world power'.<sup>26</sup> They see Empire as the response of capital to the subjectivity of class struggle through a process of internalising the international.<sup>27</sup>

America, the usual suspect, is in their view defeated in its imperialism in 1968.<sup>28</sup> This, as Barkawi and Laffe argue, did not stop the US from interventionism. Indeed, the view that Western imperialism is static in form and practice is misleading and deeply Eurocentric. Imperialism evolved in a mutually constitutive development with its opponents with an infinity of US and European interventions, direct, indirect, formal, covert, and in the form of international sponsorship, for decades in all parts of the globe.<sup>29</sup>

I remain unconvinced that there is no

continuity between imperialism and Empire. This is because I am unready to accept American exceptionalism in regards to imperialism. Most importantly, due to their historical narrative linking a static notion of European sovereignty abroad 'as a machinery of borders and limits' whereas the US is instead replicating its constitution globally.<sup>30</sup> It is problematic that they link the break from modern imperialism to post-modern Empire with separation, inclusion and exclusion, and this rests mostly on Empire's consideration of the US within the world.

American exceptionalism, especially as coded in their openly anti-colonial constitution and national discourse and debate from the late 1800s, is rooted on a Eurocentric notion of sovereignty and imperialism associated to colonialism.<sup>31</sup> Said acknowledges that US imperialism utilises other means, informal rather than territorial colonialism, but 'the tactics of the great empires, which were dismantled after the First World War, are being replicated by the US'.<sup>32</sup> Hardt and Negri charge Said with not taking a step further and recognising that the US is not imperialist but it's rather a crucial part of 'a fundamentally new form of rule'.<sup>33</sup>

The expansion of capital markets and loci of productions has long been the target of liberal regimes. Hence, the process of capital expansion to a global level, whilst never as intensive and extensive as presently, also informed the agenda of classical imperialism, such that even Spanish expansion in the Americas by the likes of Pizarro, Cortes and Orellana, was not only a quest to impose sovereignty abroad, but rather one led by pioneering, although brutal, seekers of wealth. The British conquest of India was initiated as assistance to the plea of the East India Company that was unable to cope with local resistance. A stark example were the Opium Wars, fought in the 1800s to force a market (China) to open to the narcotic

produce of British colonies. Hardt and Negri are not the first to place the projection of political power as informed by economic ambitions. They do nonetheless propose an understanding of globalisation that at least forces us to reconsider the role of capital in the contemporary global order. Instead of absorbing markets, capital is using American influence to internalise markets abroad.<sup>34</sup>

Whilst the implications for sovereignty of the thesis of 'Empire' are unconvincing, the notion of economic conditioning as a major factor behind economic globalisation is one that needs serious consideration. I argue that this form of power projection in the international consists of "economic terraforming" through state power and the extended reach of international organizations that essentially terraform, adapt and prepare the economic landscape. This, however, is in my view an extension and latently contemporary form of imperialism, for it depends on the projection of the power of states for the favourable conditioning of foreign markets and loci of production. Contrary to 'Empire', this is a process that itself requires the collaboration of acquiescent states in order to reach implementation. This dependence on the projection of state power is not only clear in the obvious political and military interventions, but also in the asymmetrical roles of international organisations and treaties like IMF, WB, WTO, GATT. These are ruled by inter-state treaties and are funded by its most powerful members. They do not impose Imperial sovereignty world-wide, but rather work, through sovereign states, to create economic conditions for capital expansion. This is clearly comparable to the aftermath of the Opium Wars, in which China was forced to legalise the opium trade for the benefit of French and especially British trade.

The values, influence and power of

modernity in the liberal project are still politically dominant when considering the paradigm of sovereignty as well as imperialism. In 2011, The Provisional Libyan Council of Governance issued a statement of purpose coded in unequivocally modern terms: 'Wholesome sentiments about the social contract, civil society, political obligation, and the true awfulness of discrimination (in any shape or form) inform its ineffably do-gooding intent'.<sup>35</sup> There is an inescapable continuity in values and tactics in contemporary imperialism. Retuning to the Project for the New American Century, there is still will in the US for 'preserving and extending an international order friendly to our security, our prosperity and our principles [...] to ensure our security and our greatness'. Both of these are clearly re-framing exercises in what concerns the sovereign states, rather than an overcoming of the state paradigm. Indeed, the above examples show that the state is still the main - and essential - conveyor of normative initiatives from abroad. As is clear with the institutions and treaties governing global financial and industrial transactions like WB or GATT, they too depend upon states to terraform territories and populations for economic participation in a globalised market.

Hardt and Negri's conceptualisation of a post-modern global order engulfing state sovereignty and, through the production of new subjectivities, heralding the slow transition away from modernity, is unconvincing. Their thesis is compromised by the Eurocentrism of their framework of sovereignty as well as the acceptance of American exceptionalism. IR is, however, enriched by their conceptualization of globalisation as an immanent producer of biopolitical subjectivities based on a link between production and life.

The contemporary global political order cannot, however, be described as Empire, for I must contend with the image of a

global sovereignty and a discontinuity between the latter and imperialism. Imperialism has, however, developed its most powerful tool: “economic terraforming”. This is a development of imperialism, not a throwback to former practices of imperialism. We may speak of economic terraforming as the practice of the very essence of *imperium*<sup>36</sup>, and conclude that the contemporary political order is the result of the wielding of *imperium* by leading economic actors.



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